

under 35 U.S.C. § 103(a) as being rendered obvious by the aforementioned Willard in combination with Omokawa *et al.* (U.S. Patent No. 5,769,976, "Omokawa").

Applicant respectfully traverses. The claimed invention relates to a tire having a carcass reinforcement anchored to a bead wire, a crown reinforcement, and a tread joined to the two beads of the tire by means of two sidewalls. The claims require that the axially outer edges of the rubber mix of the tread are folded over on to the radially outer edges of the rubber mixes of the sidewalls.

None of the cited art teaches this limitation. Willard teaches the production of a tire in which the junction between the tread mix and the sidewall is achieved by folding the radially upper edges of the sidewall mixes over the axially outer edges of the tread mix. Applicant submits that this feature of the design is more clearly illustrated in Figure 4 of Willard rather than in Figure 2 cited by the Examiner. Both Figure 2 and Figure 4 are depictions of the same tire. *See* Willard, col. 7, lines 46-48 and lines 57-59; col. 11, lines 5-23. In Figure 2 the tire is inflated, while in Figure 4 the tire is in its deflated or "run-flat" state. *Id.* Figure 4 shows more detail in the area of the sidewall/tread junction that is relevant to the present invention. As Applicant maintains, and as Applicant contends is clear from Figure 4, the sidewall/tread junction in the tire of Willard is achieved by overlap of the sidewall (42) onto the tread mix (12), rather than the opposite, as is claimed in the instant invention.

In further support of Applicant's position that the tire of the instant invention and that of Willard are patentably distinct, Applicant notes that Willard, at column 8, lines 33-34, states that the "basic design of this invention is disclosed in U.S.

patent application Ser. No. 08/182,995, now U.S. Pat. No. 5,427,166." Examination of Figure 1 in this U.S. Patent, a copy of which is enclosed, clearly confirms Applicant's position that, in the tire of Willard, the sidewall mix (42) overlaps the tread mix (12), rather than *vice versa*, as in the instant invention.

Applicant respectfully directs the Examiner's attention to page 2, lines 4-20 of the instant specification. Here, the specification explains that it was widely known that the junction between the rubber mix of the tread and the two rubber sidewall mixes at the shoulders of the tire can be accomplished in at least two different ways. The first method consists in folding the radially upper edges of the sidewall mixes over the axially outer edges of the tread mix. This is the method taught in Willard. The second method consists firstly of folding down the wings of the tread mix over the upper edges of the sidewall mixes, and secondly covering the junction between the tread mix and the sidewall mixes with a layer of rubber mix that is close in quality to that of the sidewall mixes. Thus, this second method requires the laying of an additional product, which has certain disadvantages in terms of material and production costs.

An object of the present invention was to dispense with the requirement of the additional product to cover the junction according to the second method. The present invention accomplished this by providing a tire in which the axially outer edges of the rubber mix of the tread are folded over on to the radially outer edges of the rubber mixes of the sidewalls, as opposed to the opposite teaching of Willard of folding the radially upper edges of the sidewall mixes over the axially outer edges of the tread mix. Applicant

therefore contends that, because Willard fails to teach or suggest this aspect of the present invention, Willard cannot render obvious the tire of the instant invention.

Similarly, the claimed invention is not obvious over Kita. Kita also joins the sidewall of the tire to the tread by covering the axially outer edges of the tread mix by the radially upper edges of the sidewall mixes, rather than in the opposite fashion, as claimed in the instant invention. Thus, Applicant contends that, by failing to teach or suggest this aspect of the present invention, the teachings of Kita cannot render obvious the tire of the instant invention. Applicant respectfully requests that the rejection of claim 1 under 35 U.S.C. § 103(a) be withdrawn.

The Examiner has rejected claims 2-3 of the instant application under 35 U.S.C. § 103(a) as being rendered obvious by Willard in further view of Omokawa.

Applicant respectfully traverses. As described above, Applicant maintains that Willard cannot render obvious claims 2 and 3 of the instant invention, because it fails to teach the joining of the sidewall and tread of a tire through overlapping of the axially outer edges of the rubber mix of the tread onto the radially outer edges of the rubber mixes of the sidewalls. Absent the teaching of this aspect of the invention, the teachings of Willard, either alone or in combination with Omokawa, which also fails to teach the joining of the sidewall and tread of a tire through overlapping of the axially outer edges of the rubber mix of the tread onto the radially outer edges of the rubber mixes of the sidewalls, cannot render obvious the tire of the instant invention. Applicant respectfully requests that the rejection of claims 2 and 3 under 35 U.S.C. § 103(a) be withdrawn.

In view of the above arguments, Applicant does not remark on the Examiner's comments concerning the various dimensions of Willard, Kita, or Omokawa. Applicant respectfully notes that by not remarking on these comments, Applicant does not acquiesce to these comments, and reserves the right to contest these points at a later date, if necessary.

Allowable Subject-Matter

Applicant acknowledges, with appreciation, that the Examiner has indicated that claim 4 would be allowable if re-written in independent form including all of the limitations of the base claim and any intervening claims. However, in light of the above-recited arguments, Applicant submits that no amendment of claim 4 is necessary, as claims 1-3 are also free of the prior art and thus allowable.

Information Disclosure Statement

Applicant respectfully notes that the two citations for the Patent Abstracts of Japan that are listed on the Information Disclosure Statement, submitted on November 8, 2000, under the heading "OTHER DOCUMENTS," have not been initialed. Copies of these references were provided with the November 8, 2000 Information Disclosure Statement. Applicants respectfully request that the Examiner initial the citation to indicate that the references have been considered.

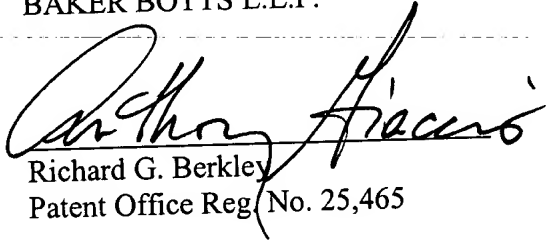
CONCLUSION

Based on the foregoing remarks, Applicant submits that the present application is in condition for allowance. A Notice of Allowance is therefore respectfully requested.

A check in payment of the requisite extension of time fee is enclosed. Applicant does not believe that any additional fee is due. If any additional fee is due in connection with the filing of this paper, or if an overpayment has been made, the Commissioner is hereby authorized to charge any required fee or credit any overpayment to our Deposit Account Number 02-4377. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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